



Mark Johnston's

WHO? WHAT? WHEN? WHERE? WHY?

LAST MONTH John Scanlon and I both commented on the BHA's 'one-meeting rule' and John, at the end of his piece added: 'And talking of blanket bans, was it really necessary to remove all racecourse saunas? A sledgehammer to crack a nut?' It set me thinking – and not for the first time – about what the role of regulator of British Horseracing should really entail. What should, and shouldn't, they be regulating?

It is a very complex subject and it seems highly unlikely that all the factions and stakeholders in racing are ever going to agree on it. We have seen several changes in structure and rules in an attempt to make the BHA an effective and efficient regulator with the latest being the scrapping of the tripartite agreement which is intended to give the BHA more independence, remove the constant threat of shareholders' vetoes, and enable the BHA board to act in the best interests of the sport as a whole. We have yet to see much, if any, evidence of this new power being put to good effect – their attempt at premierisation might be the first test of how independent they really are – but they still seem to be constantly expanding their role and the ways in which they can dictate how participants go about their jobs.

Is it not slightly ironic that, at a time when much of the

industry, including the BHA, are up in arms about affordability checks and the government daring to dictate how people can spend their own money, that the BHA want to decide whether or not a jockey can take a sauna bath, or, to be more accurate, where and when a jockey can take a sauna bath. The removal of saunas has simply resulted in jockeys congregating at local spas before meetings and,

worst of all in my eyes, sweating in steamed-up cars with multiple layers of clothing, running engines, and heaters blasting out hot air.

Both the Gambling Commission and the BHA are, effectively, saying the same thing: 'It is for your own good. We know what's best for you'. Of

course, at least in the BHA's case, and maybe in the case of the Gambling Commission, it is being done with the best intentions. But do either of them have enough evidence, expertise, or knowledge to be certain that they are right and, even if they are right, is it acceptable to remove people's freedom of choice when they are not adversely affecting anyone else? Will the BHA soon be seeking to tell jockeys that they are not allowed to smoke, an activity which unquestionably endangers their health and which many have come to use, like saunas, in an attempt to control weight? Would the BHA like to tell jockeys what, where, and when

‘Would the BHA like to tell jockeys what, where, and when they can eat?’

JOHN SCANLON and I attended the sixth annual Horseracing Industry Conference earlier this month. It was my second visit to the conference and, I think, John's first. It is somewhat surprising that I missed four events as I was, at the time, a trustee of the Racing Foundation, partners with Liverpool University in staging the conference. I believe that my absence from previous conferences was largely down to their clashing with other important events rather than any feeling that it would not be worthwhile.

I am still not sure if they have this right as, although the conference is invariably a sell-out, examination of the list of delegates leaves me wondering what the attendees really get from it, what drives them to attend – maybe a day away from working (from home?) – and what the conference gets

Collaboration – but with whom?

from them. Of the 180+ attendees, 19 represented the BHA with a further five from their subsidiary Great British Racing and a few from other linked organisations. As you might expect, the Racing Foundation itself sent 11 people along with nine from the joint organisers Liverpool University.

The Large Independent Racecourses were fairly well

Straight Talking

they can eat?

It is not that long ago that racecourses were not only providing saunas but were also providing alcohol to be consumed in the sauna or elsewhere in the weighing room. That was clearly wrong and it was right that the regulator should legislate against it and introduce drug and alcohol testing to ensure that their rules were adhered to. Alcohol and drug use by jockeys can clearly present a danger to other participants and some drugs might be considered performance enhancing. It is very clearly right that alcohol and drugs present a risk to the safety and integrity of racing and must be controlled by the BHA. But the nanny regulator is out of control and getting involved in areas where it is neither required nor welcome.

What does it say about the effectiveness of the regulator when they back off from ruling that the actual weight carried by the horse should be made public rather than deducting a 4lb allowance, but then want to dictate on things such as sauna baths?

AND it is not only the jockeys who are suffering under this explosion in rules and regulations. Those of us involved in the process of training the horses and presenting them ready to race are also being told that the regulator knows best, even when it comes to the welfare of the horses under our care. The BHA's pre-race trot-up, hailed by many in the media as a major step forward for racehorse welfare, is to my mind a disaster.

I find it insulting to trainers and their attending veterinary surgeons to be told that, in a five-minute examination on course, a BHA veterinary officer is better able to determine a horse's fitness to run than those charged with caring for it

every day. I am tired of being told that it is different for me as I am a veterinary surgeon, as is Charlie, and we employ two full-time veterinary surgeons. It shouldn't be different.

LICENSING is rightly the remit of the regulator and, if the regulator does not believe that a trainer is able to decide on a horse's fitness to run, or obtain veterinary advice to help make that determination, then it is their prerogative to refuse or remove the licence. It is not for them to do the trainer's or the attending veterinary surgeon's job for them. Particularly if they don't do it very well. It is naïve, in the extreme, to think that elite athletes in any sport are free from chronic aches, pains and stiffness. If anything, the BHA's veterinary department should be seeking to disabuse the public of that misapprehension, not perpetuate it.

Again, ironically, there are parallels with the government's attitude to affordability checks. Rishi Sunak has promised that such checks will be frictionless. That is hardly the point. Whether they are frictionless or not, they are fundamentally wrong. The BHA said much the same about trot-ups and proudly announced at the end of September that from more than 2,000 horses trotted up since they started the process, only six were withdrawn. We counted 1,869 runners at the meetings up to that point where we had runners and trot-ups took place and, of those, three suffered catastrophic injuries. It is a very small sample, and clearly not statistically significant, but that is just over 0.16% and so more than 50% greater than the published average catastrophic injury rate of 0.1%. So, in these first 2,000 trot-ups there certainly was no reduction in serious injury rate despite the BHA withdrawing six horses. I wonder what the statistics are looking like now.

represented although I don't think there was anyone there from Goodwood. The Jockey Club sent four delegates, their 'Sustainability Manager' and one each from Haydock, Carlisle and Newmarket racecourses. ARC, as far as I could see, were not represented.

Most notable for me was the total absence of a licensed trainer or a representative of the National Trainers Federation.

THE keynote address was titled 'Achieving Long-Term Change Through Collaboration' and was given by BHA senior independent director David Jones. I can't argue with his principles, but I wasn't sure whether he was talking principally about collaboration between racing industry stakeholders – the old 'united

front', 'one voice', advocated by the racecourses for decades, provided we are all using their hymn sheets – or collaboration with the betting industry. If the latter, then his pleas were being made to the wrong people. The betting industry was only sparsely and indirectly represented – five from the Levy Board, and Nick Rust and Tanya Stevenson for the Starting Price Regulatory Commission.

The current relationship with the betting industry is still very one-sided and hardly seems like a good example of collaboration. We are shouting about their industry crisis (affordability checks) while they appear to be oblivious to, or unconcerned about ours. We promote them to the detriment of our image with government and the general public while they promote every and any alternative product available.